

The James Madison Project
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APR 14 2009

13 April 2009

Delores M. Nelson
Information and Privacy Coordinator
Central Intelligence Agency
Washington, DC 20505

APPROVED FOR RELEASE ☐
DATE: 18-Aug-2010

Re: FOIA Request #F-2008-01105

Dear Ms. Nelson:

I have received your response dated 27 February 2009 responding to the 10 April 2008 FOIA request submitted by the James Madison Project ("JMP") for **copies of [specific] articles published in the Central Intelligence Agency ("CIA") in-house journal *Studies in Intelligence*.**

In the above response, you redacted some of the information from the articles, claiming that they were covered by Exemptions 1, 2, and 3 of FOIA. We appeal this decision.

We are only appealing the redactions in the following five articles:

1. *Bestiary of Intelligence Writing*
The name of the author and one name in a footnote on Page 60 were redacted. Since Exemption 3 was cited, we can only assume that you were withholding these names pursuant to the CIA Act. However, as this article is 27 years old and the person redacted from the footnote was from at least that long ago, it does not make sense to redact their names. In addition, since this article was not marked with any classification markings, there is a significant likelihood that these persons' names are not a secret. The Historical Review Program ("HRP") that is slowly processing all the old *Studies in Intelligence* articles favors release in full, as is evidenced by the complete absence of redactions from the four articles released that had previously been reviewed by that program. Had this article been processed in its own right by the HRP rather than in response to my FOIA

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request, it is very likely that these redactions would not have been made. *Studies in Intelligence* articles are works of professional scholarship, and as such, need to be evaluated both on their own merits and on the merits of the authors.

2. *The CIA and Academe*
The name of the author was redacted, and multiple redactions were made from the body of this article on Pages 38-39. In addition, some strange redactions were made from the top and bottom of each page, but these seem irrelevant to the article and so are not going to be addressed. With respect to the concept of redacting *anything*, we reiterate the HRP argument made in (1) above here. With respect to the redactions made from the body of the article, these redactions were inappropriately made, with no indication as to which Exemption was being cited for which specific redaction. We therefore request that you contact us with further information about the reasons for the redactions so that we may appeal them more specifically.
3. *Intelligence and Policy: The On-Going Debate*
The names of the authors were redacted, as was the first footnote on Page 14. Other redactions were deemed not relevant. Because this article raises the exact same issues as (1) above, we reiterate those arguments here. We will add that the redaction of Arthur Hulnick's name is entirely improper, as he is well-known as a writer on these issues, especially in light of the last line of the article stating "The above article is unclassified."
4. *The Shah's Illness and the Fall of Iran*
The name of the author was redacted, and multiple redactions were made from the body of this article on Pages 61-63. Other redactions were deemed not relevant. Because this article raises the exact same issues as (2) above, we reiterate those arguments here.
5. *Teaching Intelligence*
The name of the author was redacted. Other redactions were deemed not relevant. Because this article raises the exact same issues as (1) above, we reiterate those arguments here. We will add that the redaction of the author's name is furthermore improper because the article was written by an outside organization, the National Intelligence Study Center, and later versions were published as books by that organization with authors Marjorie Cline and Judith Fontaine, one of whom likely authored this article.

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Your cooperation in this matter would be appreciated. If you wish to discuss this appeal, please do not hesitate to contact my Director of FOIA Operations Kel McClanahan at Kel@JamesMadisonProject.org or 301-728-5908.

Please respond to this appeal by email to Kel@JamesMadisonProject.org or by fax to 240-681-2189.

Sincerely,



Mark S. Zaid
Executive Director

MSZ/km

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FAX COVER SHEET

TO *Delores Nelson*
FROM *Kel McClanahan (12406812189)*
DATE *Apr 13, 2009*

COVER MESSAGE

Please accept the attached FOIA appeal from the James Madison Project. Thank you.